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**From:** Gary Kelman -MDE- [gary.kelman@maryland.gov]  
**Sent:** 12/17/2014 12:07:47 PM  
**To:** Zolandz, Mark [Zolandz.Mark@epa.gov]  
**CC:** McGuigan, David [McGuigan.David@epa.gov]  
**Subject:** Re: Maryland Animal Agriculture Program Assessment questionnaire

Mark:

I will call you today, Wednesday, to discuss.

Gary

Gary F. Kelman, MS, CEP  
Head, AFO Section  
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1800 Washington Blvd., Suite 610  
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[gary.kelman@maryland.gov](mailto:gary.kelman@maryland.gov)

On Tue, Dec 16, 2014 at 3:57 PM, Zolandz, Mark <[Zolandz.Mark@epa.gov](mailto:Zolandz.Mark@epa.gov)> wrote:

Hey, Gary, I know that you were hoping to send us MDE's questionnaire responses the first week of December. Do you think you'll be able to get it to us this week sometime? We really appreciate you getting it to us as soon as you can.

Thanks,

Mark Zolandz

U.S. Environmental Protection Agency, Region III

NPDES Enforcement Branch , Water Protection Division

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**From:** Gary Kelman -MDE- [mailto:[gary.kelman@maryland.gov](mailto:gary.kelman@maryland.gov)]  
**Sent:** Friday, November 14, 2014 12:49 PM  
**To:** Zolandz, Mark  
**Cc:** McGuigan, David  
**Subject:** Re: Maryland Animal Agriculture Program Assessment questionnaire

Mark:

Again, I appreciate EPA's flexibility. Between the permit renewal and annual report issues, we've been very busy. I should be able to get the questionnaire to you by the first week in December.

Gary

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On Wed, Nov 12, 2014 at 12:45 PM, Zolandz, Mark <[Zolandz.Mark@epa.gov](mailto:Zolandz.Mark@epa.gov)> wrote:

Gary,

Any update on when we can expect MDE's questionnaire responses?

Thanks,

Mark Zolandz

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**From:** Gary Kelman -MDE- [mailto:[gary.kelman@maryland.gov](mailto:gary.kelman@maryland.gov)]

**Sent:** Monday, October 20, 2014 11:08 AM

**To:** McGuigan, David

**Cc:** Zolandz, Mark; Dwight Dotterer -MDA-; Price-Fay, Michelle; Crane, Rebecca; Miller, Linda; Shenk, Kelly

**Subject:** Re: Maryland Animal Agriculture Program Assessment questionnaire

Dave:

We are working on the questionnaire, but have been preoccupied with the permit renewal and its anticipated repercussions. I will try to finish the questionnaire soon and apologize for the delay.

Gary

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On Fri, Oct 17, 2014 at 3:56 PM, McGuigan, David <[McGuigan.David@epa.gov](mailto:McGuigan.David@epa.gov)> wrote:

Dwight and Gary;

I want to reiterate Mark's thanks for Maryland's cooperation in helping us conduct the animal agriculture program assessment. As you know, we are on a tight deadline and would really appreciate the response to the questionnaire so that we can bring this evaluation to term. Do you think that you could get us your input by next Friday.

Thanks

David

David B. McGuigan, Ph.D.

Office of NPDES Permits and Enforcement

Tel: 215-814-2158

Cell: 215-514-9651

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**From:** Zolandz, Mark

**Sent:** Friday, September 05, 2014 11:07 AM

**To:** Gary Kelman -MDE-; Dwight Dotterer -MDA-

**Cc:** McGuigan, David; Price-Fay, Michelle; Crane, Rebecca; Miller, Linda; Shenk, Kelly

**Subject:** RE: Maryland Animal Agriculture Program Assessment questionnaire

Dwight and Gary:

Thank you again for your help with the file reviews as part of the Maryland animal agriculture program assessment. I wanted to check in with you and see when you will be able to complete the questionnaire that we sent you in June. At that time, we talked about having the questionnaire completed at the beginning of September. Gary had requested some additional time to complete the questionnaire, so I wanted to see where things stand and when would be a reasonable time for you to provide the information back to us. I want to make sure that we can develop the draft report and have enough time for MDE and MDA to review the draft report before it is finalized.

Thanks in advance for getting back to me and letting me know how things are going.

Mark Zolandz

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**From:** Zolandz, Mark

**Sent:** Thursday, July 10, 2014 10:05 AM

**To:** 'Gary Kelman -MDE-'; Dwight Dotterer -MDA-

**Cc:** David McGuigan; Michelle Price-Fay; Rebecca Crane; Miller, Linda

**Subject:** Maryland Animal Agriculture Program Assessment questionnaire

Gary and Dwight:

Thank you again for the discussion we had back on July 7<sup>th</sup> with MDE and MDA. As we discussed, EPA will be conducting a review of Maryland's animal agriculture programs this year as part of EPA's settlement agreement with CBF. This program review will consist of a questionnaire to collect program information, file reviews, follow-up interviews/discussions with Maryland agency staff as needed, and consolidation of all of the collected information into a draft program assessment report. The draft program assessment report will be shared with Maryland for review prior to being finalized. Once finalized, EPA has committed to making the final report publicly available.

In order to start the assessment process, we are sending you a copy of the questionnaire that we will be using to guide our information collection activities during our assessment of Maryland's animal agriculture programs. We have pre-populated the questionnaire to the extent possible based on Maryland's regulations, websites, and WIPs. The pre-populated responses are in green. Please be sure to review all of these prepopulated responses for accuracy and make any edits as needed. As you review the questionnaire and start gathering the requested information, please let me know if you have any questions that need clarification or if there are additional animal agriculture programs that should be included in EPA's review. You will also notice that the length of the questionnaire is primarily due to 1) similar questions being repeated for each of the various programs, 2) providing space within the document for Maryland to respond, and 3) including Attachment 1 that explains how EPA came up with the estimates for numbers of AFOs and CAFOs.

Based on our work with Virginia and Pennsylvania, 60 days seems to be a good timeframe to aim to complete the questionnaire, which would be the beginning of September 2014. This will provide EPA sufficient time to review the material, have any needed follow-up discussion with Maryland agency staff, and

complete a draft animal agriculture assessment report by the end of 2014. I greatly appreciate your assistance in helping us to meet this schedule.

Finally, as we discussed, EPA would like to conduct some file reviews of CAFO and NMP files to be able to document how well Maryland is implementing these programs. Based on our conversation, it sounds like these file reviews can be done concurrently with the questionnaire in July and August. Ideally, we would to review 30 CAFO files at MDE and 30 NMP compliance files at MDA. If MDA conducts NMP compliance checks at NPDES-permitted CAFOs, then we would like to review NMP compliance files for the same facilities that we review at MDE. If not, we can review files from 30 different AFOs. Please let me know about the MDA files, and I will use the AFOs listed on MDE's website to select a sample of 30 facilities for these file reviews. After we identify the facilities/files to review, I can work with you to schedule times to come down to Maryland for the reviews.

Thanks again for all of your assistance with this effort. I greatly appreciate your help and cooperation.

Thanks,

Mark Zolandz

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